

(5) The following acts or practices when committed on a military installation by an insurance producer with respect to the in-person, face-to-face solicitation of life insurance are declared to be unfair or deceptive acts or practices by Section 626.9541(1)(a)9., and (d), F.S.:

(a) through (j) No change.

(6) The following acts or practices by an insurance producer constitute corrupt practices, improper influences or inducements and are declared to be unfair or deceptive acts or practices prohibited by Section 626.9541(1)(a)1., 6., and 9., F.S. or 626.9551(1)(a), F.S., regardless of the location where committed:

(a) No change.

(b) Receiving funds from a service member for the payment of premium from a depository institution with which the service member has no formal banking relationship. For purposes of this section, a formal banking relationship is established when the depository institution:

1. provides the service member a deposit agreement and periodic statements and makes the disclosures required by the Truth in Savings Act, 12 U.S.C. § 4304, which are hereby incorporated by reference; and the regulations promulgated thereunder, which are hereby incorporated by reference; and

2. No change.

(c) through (r) No change.

(s) Failing to make, at the time of sale or offer to an individual known to be a service member, the written disclosures required by the "Military Personnel Financial Services Protection Act," Pub. L. No. 109-290, which are hereby incorporated by reference.

(t) through (y) No change.

(7) No change.

The remainder of the rule reads as previously published.

Section IV Emergency Rules

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

Notices for the Board of Trustees of the Internal Improvement Trust Fund between December 28, 2001 and June 30, 2006, go to <http://www.dep.state.fl.us/> under the link or button titled "Official Notices."

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Notices for the Department of Environmental Protection between December 28, 2001 and June 30, 2006, go to <http://www.dep.state.fl.us/> under the link or button titled "Official Notices."

Section V Petitions and Dispositions Regarding Rule Variance or Waiver

DEPARTMENT OF LAW ENFORCEMENT

NOTICE IS HEREBY GIVEN THAT on April 29, 2008, the Criminal Justice Standards and Training Commission, received a petition for waiver of subsection 11B-30.007(6), F.A.C., by David Imparato. Petitioner wishes to obtain a refund for the cost of sitting for the State Officer Certification Examination.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Grace A. Jaye, Assistant General Counsel, Florida Department of Law Enforcement, P. O. Box 1489, Tallahassee, FL 32302-1489, (850)410-7676. Comments on the petition may be directed to the above.

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

Notices for the Board of Trustees of the Internal Improvement Trust Fund between December 28, 2001 and June 30, 2006, go to <http://www.dep.state.fl.us/> under the link or button titled "Official Notices."

WATER MANAGEMENT DISTRICTS

NOTICE IS HEREBY GIVEN THAT on April 24, 2008, the South Florida Water Management District, received a petition for waiver from Michael and Janie Meives, Application No. 08-0219-5, for utilization of Works or Lands of the District known as the C-17 Canal, Palm Beach County, for an existing dock and landscaping and the proposed installation of two new boat lifts located on the north right of way of the C-17 Canal; Section 16, Township 42 South, Range 43 East. The petition seeks relief from subsections 40E-6.011(4) and (6), and paragraph 40E-6.221(2)(j), Florida Administrative Code, which govern the placement of permanent and/or semi-permanent above-ground encroachments within 40 feet of the top of bank within Works or Lands of the District.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Kathie Ruff at (561)682-6320 or e-mail at kruff@sfwmd.gov. The District will accept comments concerning the petition for 14 days from the date of publication of this notice. To be considered, comments must be received by the end of business on the 14th day at the South Florida Water Management District, 3301 Gun Club Road, MSC 1410, West Palm Beach, FL 33406, Attn.: Kathie Ruff, Office of Counsel.

NOTICE IS HEREBY GIVEN THAT on April 29, 2008, the South Florida Water Management District (District), received a petition for waiver from Adam Smith, Application No. 07-0110-2, for utilization of Works or Lands of the District known as the C-100A Canal, Miami-Dade County, for existing

palm trees located on the west right of way of C-100A Canal; Section 23, Township 55 South, Range 40 East. The Petitioner seeks relief from subsections 40E-6.011(4) and (6), Florida Administrative Code, which govern the placement of permanent and/or semi-permanent above-ground encroachments within 40 feet of the top of bank within Works or Lands of the District.

A copy of the Petition for Variance or Waiver may be obtained by contacting Kathie Ruff at (561)682-6320 or e-mail at kruff@sfwmd.gov. The District will accept comments concerning the petition for 14 days from the date of publication of this notice. To be considered, comments must be received by the end of business on the 14th day at the South Florida Water Management District, 3301 Gun Club Road, MSC 1410, West Palm Beach, FL 33406, Attn: Kathie Ruff, Office of Counsel.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

NOTICE WAS HEREBY GIVEN THAT on April 11, 2008, for an Emergency Variance for subsection 61C-4.010(7), Florida Administrative Code, from Big Tomato located in Miami. The above referenced F.A.C. states...each public food service establishment shall maintain a minimum of one public bathroom for each sex, properly designated.....The proposed establishment has one bathroom for patrons and they are requesting a variance to have a seating capacity of nineteen (19).

This variance request was approved and is contingent upon the Petitioner ensuring the public bathroom is functional, has hot and cold running water at all times, provided with soap and an approved method to dry hands, and kept in a clean and sanitary manner. Seating shall not exceed (19) which includes inside and outside seating. Any violation of the variance is the equivalent of a violation of the rule and may result in a rescission of the variance, and subject the Petitioner to disciplinary sanctions as enumerated in Section 509.261, Florida Statutes.

A copy of the Order may be obtained by contacting: Xenia.Bailey@dbpr.state.fl.us.

NOTICE IS HEREBY GIVEN THAT on April 22, 2008, the Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants has issued an order.

NOTICE WAS HEREBY GIVEN THAT on April 16, 2008, for a Routine Variance for subsection 61C-4.010(7), Florida Administrative Code, from Café Rendez-Vous located in Seaside. The above referenced F.A.C. states that all bathrooms shall be of easy and convenient access to both patrons and employees...They are requesting a variance to use public bathrooms located in a common area and have seating for sixty. This variance request was approved and is contingent upon the Petitioner ensuring the centrally located bathrooms has running water at all times, provided with soap and an approved method

to dry hands, kept in a clean and sanitary manner, and available during all hours of operation. The Petitioner shall also ensure directional signage is installed within/or outside the establishment clearly stating the location of the bathrooms. Petitioner will have no more than sixty (60) seats which includes inside and outside seating. Any violation of the variance is the equivalent of a violation of the Rule and may result in a rescission of the variance, and subject the Petitioner to disciplinary sanctions as enumerated in Section 509.261, Florida Statutes.

A copy of the Order may be obtained by contacting: Xenia.Bailey@dbpr.state.fl.us.

NOTICE IS HEREBY GIVEN THAT on April 22, 2008, the Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants has issued an order.

NOTICE WAS HEREBY GIVEN THAT on April 16, 2008, for a Routine Variance for subsection 61C-4.010(7), Florida Administrative Code, from Deco Café located in Inverness. The above referenced F.A.C. states...each public food service establishment shall maintain a minimum of one public bathroom for each sex, properly designated.....The proposed establishment has one bathroom for patrons and they are requesting a variance to have a seating capacity of seventeen (17).

This variance request was approved and is contingent upon the Petitioner ensuring the public bathroom is functional, has hot and cold running water at all times, provided with soap and an approved method to dry hands, and kept in a clean and sanitary manner. Seating shall not exceed (17) which includes inside and outside seating. Any violation of the variance is the equivalent of a violation of the Rule and may result in a rescission of the variance, and subject the Petitioner to disciplinary sanctions as enumerated in Section 509.261, Florida Statutes.

A copy of the Order may be obtained by contacting: Xenia.Bailey@dbpr.state.fl.us.

NOTICE IS HEREBY GIVEN THAT on April 17, 2008, the Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants has issued an order.

for an Emergency Variance for subsection 61C-4.010(7), Florida Administrative Code, from Galley Catering LLC located in Davie. The above referenced F.A.C. states that all bathrooms shall be of easy and convenient access to both patrons and employees...They are requesting a variance to use public bathrooms located in a hallway twenty feet away and have seating for twenty-five.

This variance request was approved and is contingent upon the Petitioner ensuring the bathrooms located twenty-feet away are functional, has running water at all times, provided with soap and an approved method to dry hands, kept in a clean and sanitary manner, and available during all hours of operation.

The Petitioner shall also ensure directional signage is installed within/or outside the establishment clearly stating the location of the bathrooms. Petitioner will have no more than twenty-five seats which includes inside and outside seating. Any violation of the variance is the equivalent of a violation of the Rule and may result in a rescission of the variance, and subject the Petitioner to disciplinary sanctions as enumerated in Section 509.261, Florida Statutes.

A copy of the Order may be obtained by contacting: Xenia.Bailey@dbpr.state.fl.us.

NOTICE IS HEREBY GIVEN THAT on April 17, 2008, the Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants has issued an order.

NOTICE WAS HEREBY GIVEN THAT on April 1, 2008, for a Routine Variance for subsection 61C-4.010(7), Florida Administrative Code, from Heavenly Treasures and Angel Tea Room located in Dade City. The above referenced F.A.C. states...each public food service establishment shall maintain a minimum of one public bathroom for each sex, properly designated....The proposed establishment has one bathroom for patrons and they are requesting a variance to have a seating capacity of thirty-four (34).

This variance request was approved and is contingent upon the Petitioner ensuring the public bathroom is functional, has hot and cold running water at all times, provided with soap and an approved method to dry hands, and kept in a clean and sanitary manner. Seating shall not exceed (34) which includes inside and outside seating. Any violation of the variance is the equivalent of a violation of the Rule and may result in a rescission of the variance, and subject the Petitioner to disciplinary sanctions as enumerated in Section 509.261, Florida Statutes.

A copy of the Order may be obtained by contacting: Xenia.Bailey@dbpr.state.fl.us.

NOTICE IS HEREBY GIVEN THAT on April 22, 2008, the Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants has issued an order.

NOTICE IS HEREBY GIVEN THAT on April 16, 2008, for an Emergency Variance for subsection 61C-4.010(1) and 61C-4.010(6), Florida Administrative Code, from the Rollin Lunch Box located in Naples. The above referenced F.A.C. addresses food supplies, food protection, and physical facilities-except as specifically provided in this rule, public food service establishments shall be subject to the provisions of chapter three and chapter six of the FDA Food Code. They are requesting to do open air food service on a Mobile Food Dispensing Vehicle.

This variance request was approved and is contingent upon the Petitioner's use of open-air steam table properly covered and air curtain operating properly according to manufacturer's specifications and Section 6-202-15(D)(2), 2001 FDA Food

Code, as to expel possible contaminants and vermin. Approval is also contingent upon Petitioner conducting all re-heating for hot holding at approved commissaries to the proper temperature per Section 3-403.11, 2001 FDA Food Code; and potentially hazardous food is held at proper temperatures according to Section 3-501.16, 2001 FDA Food Code.

The Petitioner shall strictly adhere to subsection 61C-4.0161(c), Florida Administrative Code, and report to the commissary at least once daily when operating. All warewashing is to be conducted at the commissary and strict adherence to employee health guidelines as specified in the Section 2-201, 2001 FDA Food Code, are to be followed. Petitioner shall also use a potable water tank and utilize a wastewater holding tank that is at least 15% larger than the potable water holding tank; and sloped to a drain that is 1 inch in inner diameter or greater, equipped with a shut-off valve. Petitioner must receive potable water from an approved source with written documentation provided and sanitize the fresh water and wastewater tanks at least once every 24 hours.

Copies of the variance and operating procedures are to be present on the MFDV at all times of operation and shall be adhered to as approved by the Division. This variance is not transferable under any conditions. All provisos must be complied prior to final approval and licensing. Any violation of the variance is the equivalent of a violation of the Rule and may result in a rescission of the variance, and subject the Petitioner to disciplinary sanctions as enumerated in Section 509.261, Florida Statutes.

A copy of the Order may be obtained by contacting: Xenia.Bailey@dbpr.state.fl.us.

NOTICE IS HEREBY GIVEN THAT on April 17, 2008, the Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants has issued an order.

NOTICE WAS HEREBY GIVEN THAT on April 1, 2008, for a Routine Variance for subsection 61C-4.010(7), Florida Administrative Code, from Socris Grill Restaurant located in Miami. The above referenced F.A.C. states...each public food service establishment shall maintain a minimum of one public bathroom for each sex, properly designated.....The proposed establishment has one bathroom for patrons and they are requesting a variance to have a seating capacity of twenty (20). This variance request was approved and is contingent upon the Petitioner ensuring the public bathroom is functional, has hot and cold running water at all times, provided with soap and an approved method to dry hands, and kept in a clean and sanitary manner. Seating shall not exceed (20) which includes inside and outside seating. Any violation of the variance is the equivalent of a violation of the rule and may result in a rescission of the variance, and subject the Petitioner to disciplinary sanctions as enumerated in Section 509.261, Florida Statutes.

A copy of the Order may be obtained by contacting: Xenia.Bailey@dbpr.state.fl.us.

NOTICE IS HEREBY GIVEN THAT on April 17, 2008, the Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants has issued an order.

NOTICE WAS HEREBY GIVEN THAT on April 9, 2008, for a Routine Variance for subsection 61C-4.010(7), Florida Administrative Code, from Taco Rock #3 located in Cantonment. The above referenced F.A.C. states...each public food service establishment shall maintain a minimum of one public bathroom for each sex, properly designated.....The proposed establishment has one bathroom for patrons and they are requesting a variance to have a seating capacity of twenty-nine (29).

This variance request was approved and is contingent upon the Petitioner ensuring the public bathroom is functional, has hot and cold running water at all times, provided with soap and an approved method to dry hands, and kept in a clean and sanitary manner. Seating shall not exceed (29) which includes inside and outside seating. Any violation of the variance is the equivalent of a violation of the Rule and may result in a rescission of the variance, and subject the Petitioner to disciplinary sanctions as enumerated in Section 509.261, Florida Statutes.

A copy of the Order may be obtained by contacting: Xenia.Bailey@dbpr.state.fl.us.

NOTICE IS HEREBY GIVEN THAT on April 22, 2008, the Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants has issued an order.

NOTICE WAS HEREBY GIVEN THAT on April 17, 2008, for a Routine Variance for subsection 61C-4.010(7), Florida Administrative Code, from Tropical Smoothie Café located in Tallahassee. The above referenced F.A.C. states...each public food service establishment shall maintain a minimum of one public bathroom for each sex, properly designated.....The proposed establishment has one bathroom for patrons and they are requesting a variance to have a seating capacity of twenty (20).

This variance request was approved and is contingent upon the Petitioner ensuring the public bathroom is functional, has hot and cold running water at all times, provided with soap and an approved method to dry hands, and kept in a clean and sanitary manner. Seating shall not exceed (20) which includes inside and outside seating. Any violation of the variance is the equivalent of a violation of the rule and may result in a rescission of the variance, and subject the Petitioner to disciplinary sanctions as enumerated in Section 509.261, Florida Statutes.

A copy of the Order may be obtained by contacting: Xenia.Bailey@dbpr.state.fl.us.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Notices for the Department of Environmental Protection between December 28, 2001 and June 30, 2006, go to <http://www.dep.state.fl.us/> under the link or button titled "Official Notices."

NOTICE IS HEREBY GIVEN THAT on March 27, 2008, the Department of Environmental Protection, received a petition for Carus Corporation seeking a variance from the prohibition from a zone of discharge under subsection 62-522.300(3), F.A.C., for the use of RemOx® EC to clean up contaminated sites. The petition has been assigned OGC File No. 08-0556.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Cathy McCarty, Department of Environmental Protection, Underground Injection Control Program, MS 3530, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400, (850)245-8654. Written comments must be received by Cathy McCarty at the above address no later than 14 days from the date of publication of this notice.

DEPARTMENT OF HEALTH

The Board of Dentistry hereby gives notice of the withdrawal of the Petition Variance or Waiver for Douglas Most, D.D.S. The Notice of Petition for Variance or Waiver was published in Vol. 34, No. 10, of the March 7, 2008, Florida Administrative Weekly. Petitioner has requested the Petitioner for Variance or Waiver be withdrawn.

A copy of the Board's Order may be obtained by contacting: Sue Foster, Executive Director, Board of Dentistry, 4052 Bald Cypress Way, Bin # C08, Tallahassee, Florida 32399-3258.

NOTICE IS HEREBY GIVEN THAT on April 30, 2008, the Board of Medicine, received a petition for waiver or variance filed by Tom Timothy, from subsection 64B8-30.003(1), F.A.C., with regard to the requirement for letters of recommendation for physician assistant applicants. Comments on this petition should be filed with the Board of Medicine, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3053, within 14 days of publication of this notice.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Larry McPherson, Jr., Executive Director, Board of Medicine, at the above address, or telephone (850)245-4131.

NOTICE IS HEREBY GIVEN THAT on April 28, 2008, the Board of Physical Therapy Practice, received a petition for Sonia V. Nigudkar, seeking a variance or waiver of paragraph 64B17-3.001(5)(a), F.A.C., which requires that a licensee has attained and submitted to the Board a minimum of 75 professional education credits with no deficiencies in the

required content sections or areas as delineated in the FSBPT coursework evaluation tool. The petitioner also seeks a waiver of paragraph 64B17-3.001(5)(b), F.A.C., which requires that a licensee has attained and submitted to the Board a minimum of 60 general education credits with no deficiencies in the required content sections or areas as delineated in the FSBPT coursework evaluation tool.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Allen Hall, Executive Director, Board of Physical Therapy Practice, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255, (850)245-4373, ext. 3480. Comments on this petition should be filed with the Board of Physical Therapy Practice within 14 days of publication of this notice.

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

NOTICE IS HEREBY GIVEN that on April 7, 2008, the Department of Children and Family Services, received a petition for Waiver of subsection 65C-15.017(3), F.A.C., from Kids Hope United and Virginia Andersen, assigned Case No. 08-009W. The rule states an agency staff responsible for performing casework services shall have a bachelor’s degree in social work or related area of study or a master’s degree in social work or a related area of study from an accredited college or university.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Agency Clerk, Department of Children and Family Services, 1317 Winewood Blvd., Bldg. 2, Room 204, Tallahassee, FL 32399-0700.

**Section VI
Notices of Meetings, Workshops and Public Hearings**

The following state governmental agencies, boards and commissions announce a public meeting to which all persons are invited:

- State Board of Administration
- Financial Services Commission
- Department of Veterans’ Affairs
- Department of Highway Safety and Motor Vehicles
- Department of Law Enforcement
- Department of Revenue
- Department of Education
- Administration Commission
- Florida Land and Water Adjudicatory Commission
- Board of Trustees of the Internal Improvement Trust Fund
- Department of Environmental Protection

DATE AND TIME: May 28, 2008, 9:00 a.m.

PLACE: Cabinet Meeting Room, Lower Level, The Capitol, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular scheduled meeting of the Governor and Cabinet

The State Board of Administration will take action on matters duly presented on its agenda, which may include such matters as Executive Director’s reports; approval of fiscal sufficiency of state bond issues; approval of sale of local bonds at an interest rate in excess of statutory interest rate limitation; report on investment performance; designation of banks as depositories for state funds; adoption of rules and regulations; investment of state funds pursuant to Chapter 215, F.S.; and consideration of other matters within its authority pursuant to Chapters 215 and 344, F.S., and Section 16 of Article IX of the Florida Constitution of 1885, as continued by subsection 9(c) of Article XII of the Florida Constitution of 1968. The Division of Bond Finance of the State Board of Administration will take action on matters duly presented on its agenda, which will deal with the issuance of State bonds, arbitrage compliance and related matters.

The Financial Services Commission will take action on matters duly presented on its agenda which may include, but not be limited to, matters relating to rulemaking for all activities concerning insurers and other risk bearing entities, including licensing, rates, policy forms, market conduct, claims, adjusters, issuance of certificates of authority, solvency, viatical settlements, premium financing, and administrative supervision, as provided under the Insurance Code or Chapter 636, F.S., and for all activities relating to the regulation of banks, credit unions, other financial institutions, finance companies, and the securities industry.

The Department of Veterans’ Affairs will take action on matters duly presented on its agenda which may include the administration of the Department as well as actions taken to further the Department’s mission of providing assistance to veterans and their dependents, pursuant to Section 292.05, F.S.

The Department of Highway Safety and Motor Vehicles will take action on matters duly presented on its agenda, which may include such matters as approval of agency policies, taking agency action with regard to administrative procedure matters, and considering other matters within its authority pursuant to Florida Statutes.

The Department of Law Enforcement will take action on matters duly presented on its agenda which may include but not be limited to such matters as transfer of agency funds or positions, formulation of Departmental Rules, administrative procedure matters, submittal of reports as required, enter into contracts as authorized and to consider other matters within its authority pursuant to Chapters 20, 23, 120 and 943, F.S.

The Department of Revenue will act on matters duly presented on its agenda which may include approval of rules, legislative concept proposals, contracts over \$100,000, Departmental